IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.196 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO.125 OF 2006

M/s.Afcons-Pauling (I) Limited Petitioner

ALONG WITH
COMPANY PETITION NO.197 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO.126 OF 2006

Afcons Infrastructure Limited Petitioner

Harvinder Toor with Balkrishnan i/by Cr.Bayley & Co. for petitioner.

S.C.Gupta, O.L. in CP 196/2006.
C.J.Joy with R.C.Master and N.D.Sharma i/by Dr.T.C.Kaushik for Regional Director.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 5th May 2006

PC :

1. These are petitions under sections 391 to 394 of the Companies Act, 1956 seeking sanction to a composite scheme of amalgamation between the companies in these petitions.

2. the petitions set out salient features of the scheme and the copies of the scheme are annexed thereto. Necessary averments are made and declarations are given. There is a compliance with the provisions in the Act and the Rules with

regard to the same.

3. The Regional Director has filed an affidavit and has pointed out that the scheme is not prejudicial to the interest of the creditors and share holders.

4. The Official Liquidator in his report has referred to the auditor’s report, who scrutinised accounts of the company for five years and other relevant documents and papers. The auditors have stated that the company has not conducted its business activities against the interest of its members and share holders.

5. In the light of above, the petitions deserve to be granted. Company Petition no.196 of 2006 is granted in terms of prayer clauses (a) to (i). Company Petition No.197 of 2006 is granted in terms of prayer clause (a) to (h).

6. Costs of Regional Director and Official Liquidator are quantified at Rs.2,500/- each. All concerned to act on an ordinary copy of this order and the scheme, duly authenticated by the Company Registrar.

(S.C.DHARMADHIKARI, J.)